

FOR IMMEDIATE RELEASE:

Ottawa must disclose how it aided Goldcorp in human rights dispute, Federal Court hears

OTTAWA, ON / March 2, 2021 – Today the Federal Court of Canada hears a case alleging that the Canadian government is improperly withholding information about its diplomatic interventions on behalf of a Canadian company accused of human rights abuse at its mine in Guatemala.

The lawsuit, filed by Shin Imai, York University law professor and co-founder of the Justice & Corporate Accountability Project (JCAP), is supported by several civil society organizations. It asks the court to order Global Affairs Canada to remove the redactions on 20 pages of documents the department disclosed in response to an access-to-information request.

Hidden in those documents are details about Canadian officials' communications with Goldcorp, the Guatemalan government and the Inter-American Commission on Human Rights (IACHR) after the commission called for Goldcorp's Marlin mine to be shut down in 2010. The commission made the unprecedented request in response to evidence that Indigenous communities had not been consulted about the mine and concerns that its operations were contaminating their water resources.

The portions of the documents that Global Affairs Canada did release suggest that Canadian officials swiftly intervened in the case on Goldcorp's behalf, lobbying decision-makers in Guatemala and at the IACHR for months following the commission's request. In 2011 Guatemala announced it would not suspend the mine's operations, and the commission retracted its request.

"Although many details are blacked out, these records paint a damning picture," says Emily Dwyer, Coordinator of the Canadian Network on Corporate Accountability. "Canadian officials including ambassadors and cabinet ministers went to great lengths to present Goldcorp's position to the Guatemalan government and the IACHR. We are concerned that Canadian officials may have tried to improperly influence decision makers."

"The Canadian government's decision to go to court rather than disclose this additional information raises the question: what else did it do to support Goldcorp?" says Shin Imai of JCAP. "The public should be able to scrutinize the government's actions here, to assess the extent to which it undermined Indigenous communities' efforts to defend their rights."

The lawsuit contends that the Canadian government blacked out information that Canadians have a right to see under access-to-information legislation.

"Communities impacted by the mine tell us that they are still dealing with polluted rivers, the destruction of sacred sites and property damage. Many people lack access to safe drinking water," says Jean Symes of Inter Pares.

Mr. Imai is represented by the law firm Major Sobiski Moffatt.

Details of the hearing for *Shin Imai v. Canada (Minister of Foreign Affairs)*

When: The court hears the case remotely on March 2, 9:30 a.m. CST (10:30 EST)

Court file number: T-1170-19

Media contacts:

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Contact with representatives from communities impacted by the Marlin mine can be facilitated on request.

